BASTMAN ORATES

Judge Calls His Story of Heroic Boy Pacifist an Allegory.

WOMAN POET DISMISSED

Editor of the "Masses" Denies

pot recruiting, took the stand in the of the great majority of persons, for all District Court yesterday and de an impassioned plea for conscienus objectors to military service.

While he spoke the court room became a few minutes an auditorium, with defendant in the centre of the stage ling with all the dramatic skill and sem of voice he has cultivated during g experience on the lecture platform sed to carry a rifle until, tormented by astant taunts of cowardice, he killed

id held that the story might const tute competent testimony as illustrative of a state of mind. The court said, how-ever, that there was no need for any

man said he had no more stories tell, but Mr. Hillquit brought out that had a letter from President Wilson herein the President pointed out that I had not met Sir Cecil or Lady

where no manuscript or drawing was tampered with in transit to press, where art and personal convictions were sacred. Eastman identified the writer or artist of a number of the things published in August, September and October of last year which Earl B. Barnes, Assistant United States Attorney, contends for the ted States Attorney, contends for the ternment are the visible expressions proof of a conspiracy on the part of timan, C. Merrill Rogers, Art Young

and Floyd Dell to obstruct recruiting

tman denied that there had ever a meeting at which a policy of ruction had been agreed upon for Masses. He declared that none of at any meeting. He asserted that the method of conducting the magazine made a set policy impossible, because all of the contributing editors had the absolute right of publication without at these meetings had been abandoned

The practice of no revision had some modification, the witness said, in the case of hastily written articles on cur-rent topics, but "works of art, that is drawings, poems and carefully written prose matter, were inviolate. In his revise his prose, but his poetry—never.

In denying that he is a pacifist, Eastman declared that in whatever he had written that might be construed as an scientious objectors to military service should be given, in the name of liberty and democracy, the right to refuse to bear arms on a mission of death to

Denies Pro-German Funds.

"Did you make any effort to sell or of the United States?" asked Mr. Hill-

Eastman explained that his chief connection with the business department of the magazine was to raise the money necessary to meet recurring deficits. He maid he got the money from friends.

"Did you at any time receive any money from any source which in any way might be described as a pro-German source?"

"I never did."

Eastman said that he had as little to do as possible with H. J. Glinten-Ramp, a defendant who has never been arraigned and whose whereabouts is unknown, because he was not attracted by his personality. Eastman said he returned one of Glintenkamp's cartoons and was surprised to see it turn up in the Masses. He will be cross-examined by Mr. Barnes to-day.

The number of defendants was reduced by Jydge Hand yesterday. He dismissed the indictment against Josephine Bell. She contributed a single objectionable poem. It was a tribute to Berkman and Emma Goldman.

In arguing for a dismissal of all the indictments Mr. Hillquit declared that the publication of the objectionable articles did not constitute a concrete hindrance or obstruction to recruiting. A physical act is necessary under the present law, Mr. Hillquit argued. He Eastman explained that his chief con

hindrance or obstruction to recruiting. A physical act is necessary under the present law, Mr. Hillquit argued. He said that the proof of that lay in a proposed amendment in Congress to the appionage act which makes it a crime to "discourage" recruiting. He defined the word "obstruct" in the act at length, but Judge Hand ruled against him. out Judge Hand ruled against him.

LENROOT SWORN IN AS SENATOR

Takes Seat Made Vacant by Paul O. Husting's Death. Special Despatch to Tun Scn.

Washington, April 18.—Irvine L. Lanroot, recently elected on the Republican ticket in Wisconsin to fill the vacancy occasioned through the accidental death of Paul O. Husting, to-day took the oath of office.

Senator Warren (Ohio) announced that Mr. Lenroot had been assigned to the Senate Committees on Commerce, Public Buildings and Grounds, Coast Defences, Railroads and Forest Reservations and the Protection of Game.





BRITISH ATTORNEY-GENERAL DISCOVERS NEW UNITED STATES IN FIGHTING MOOD

Right Honorable Sir Frederick Smith, Who Made a Speaking Trip Here Last Winter, Describes in "My American Visit" the Rush of War Preparations Which Have Transformed This Country.

By the Right Hon, Sir Frederick Smith, Attorney-General of England.

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Washington—The Embassy—Interview with Ministers and with the President. I return to the diary.

Saturday, December 29 .- We arrived at Vashington at 12:15 P. M., four and a half hours late. The Ambassador and Lady Spring Rice most kindly asked H. S. and myself to stay at the Embassy.

herein the President pointed out that any things permissible in time of Spring Rice before. They showed us the secs could not be allowed in wartime, greatest kindness and that most precious it that it was difficult to draw the form of hospitality which allows the guest to do whatever he wishes. I to the efforts our country had made in knew, of course, by reading his desmos, was long on the stand. He told a detail of the workings of the office at the Masses, that paradise of the concluding editor at 34 Union Square, the concluding editor at the war. But I carried away from many lomatically concerned in a situation re-quiring the daily exhibition of tact, subrecord the tribute rendered to our Ambassador by a Cabinet Minister of great sagacity: "No man ever had a more difficult hand to play; no man ever difficult hand to play; no man errors." stayed for an hour and a hair, smoking played it with fewer positive errors." stayed for an hour and a hair, smoking played it with fewer positive errors." stayed for an hour and a hair, smoking played it with fewer positive errors." stayed for an hour and a hair, smoking played it with a keen sense of whom had felt the strain of his labors humor. We talked about conditions in humor. We talked about conditions in and responsibility. But he was always willing to talk, to help and to advise, and I owed much in my visit to his wise ocunsel. It is a pleasure to put on rec-

We found on our arrival that our host and hostess were dining out, but Lieut-Col. Arthur Murray, M. P., brother of my old friend Lord Elibank, had most Col. Arthur Murray, M. P., brother of my old friend Lord Elibank, had most kindly arranged a dinner for us, at which he and Mr. Arthur Willert of the British war mission were joint hosts. We dined at the Metropolitan Club at 8 o'clock. Many interesting people were present, including Mr. Redfield, the Secretary of Commerce; Mr. Houston, the Secretary of Agriculture; Mr. Hurley, the chairman of the Shipping Board, and Mr. Phillips. the Assistant Secretary of eastern circuit.

Allegory.

WHAT HAS GONE BEFORE.

Sir Frederick Emith come to America
Christmas week, 1917, to tell the United
States what Great British was doing in
the war and what it was hoped America
the war and what it was hoped America
Trying to Hinder War

Programme.

Trying to Hinder War

Programme.

Max Eastman, son of a Congregaonal minister, former instructor of philtophy at Columbia and chief of the demidants accused by the Government of
magnetic accused by the Government of
magnetic accused the Masses to obmagnetic service, of the great majority of persons.

State. Major Harold Baker, M. P., and
my colleague at the bar, Mr. Mitchell
Innes, K. C., who has given up his practice for the public service, were also of
the party. Gen. McLachlin and Gen.
Trotter represented the soldiers, Commodore Grant, R. N., the saliors.
We had a great deal of interesting
at between Redfield and Houston, and
the word on the enthusiaem
of the dry banquets he attended and
thought it not unlikely that the dry
word might sweep the country. He found
my great evidence of our participation
in the word on the streets of New York,
months and distinguished very clearly
between the Clief Justice and Mr. Justice
Branders, Mr. Mitchell
Innes, K. C., who has given up his practice for the public service, were also of
the party. Gen. McLachlin and Gen.
Trotter represented the soldiers, Commodore Grant, R. N., the saliors.
We had a great deal of interesting
at between the sevening we changed places and
I had a long talk with my colleague,
which are discovered the most recently appointed
at two days stay in New York, terminating in a great dinner at my house at Charlton in
1912.

I was naturally very giad to meet
som the chef
the party. Gen. McLachlin and Gen.
The party of the public service, were also of
the party of the party of the party of so as to make the acquaintance of every one. The Ministers were very frank, talking quite without reserve. Houston particularly showed a great knowledge of agricultural problems in Europe. He spoke of the mext few months and distinguished very clearly between the measures which were desirable and those which were possible. I was much struck by Phillips, the Assistant Secretary of State, who seemed a very clever and attractive man. Every one spoke in the highest possible terms of the soldiers whom we had sent to the United States. The junior officers sent wherever we travelled we heard the same that Col. Ericeson, the O. C. commande that wherever we travelled we heard the same that Col. Ericeson, the O. C. commande that were counsel.

The relative positions of the Attorney-General in the growing needs of the next few united States are by no means the same as in England. The Attorney-General in the sirable and those which were possible. I may mention that wherever we travelled we heard the same the special to the Supreme Court, and practically the whole of these, in cases affecting the Government, are argued by the Solicitor-General. The First or sport. Let me add here in a later note that Col. Ericeson, the O. C. commande that Col. Ericeson, the O. C. commander that the properties of the supression of the state of the same things to the British nation, it is better to let those high practically the whole of these, in cases affecting the Government, are argued by the Solicitor-General. The First or second Assistant Attorney-General is available to help him in matters report. Let me add here in a later note that Col. Ericeson, the Col. C. commander that the properties of the continuous that Col. Ericeson, the O. C. command-ing United States Army troops on the ship which brings us home, told me that in his division he had four British of-

ficers who did the work of forty and

So ended a very interesting evening.
Sunday, December 30.—It is bitterly
cold, the frost being intense. In the
morning we called on Chief Justice
White at his house; be received us with
the greatest kindness. Well over 70 years old, he presides with equal dignity and learning over the Supreme Court. He is an old admirer of Great Britain and moved us very much by his tribute to the efforts our country had made in the war. He questioned us very closely about conditions in England and asked cere and friendly emphasis how com-pletely he had been with us since August, 1914. And more than once he said with old fashioned warmth, "I wish you could have broken bread with me." We left him carrying in our minds the impres-sion of a splendid veteran, a courtly communically concerned in a situation requiring the daily exhibition of tact, sub-magacious lawyer. We then called on the Attorney-General, but were not fortunate enough to find him in. We lunched with Sir Charles Gordon and in the afternoon Lane and Senator B. Kellogg called and the United States and Great Britain. Much that was said can, naturally, not

agreeable man and full of explanation about American legal affairs. He was most anxious, as the Chief Justice had been, to arrange a dinner for the bar to meet me before we left Washington. But unfortunately it was not possible.

The Solicitor-General enjoys a great reputation as a lawyer. We spoke of the prospects and positions of law officers in the States and Great Britain, particularly in relation to salaries and the For many days half the papers one ticularly in relation to salaries and the prospects of judicial promotion. It appears that in the United States law officers rarely become judges, and on a miliar letters, H. M. G. It is well known that in the States, Ministers are not cral the Solicitor-General is not often that in the States, Ministers are not cral the Solicitor-General is not often that in the States, Ministers are not cral the Solicitor-General is not often that in the States, Ministers are not cral the Solicitor-General is not often that in the States, Ministers are not craft. crously low in the United States, and I turely, to the prejudice of the public

The Chief Justice explained to me how much their method of trying a legal argument differs from ours. Each side. as is well known, prepares elaborate written briefs, containing a full citation of the relevant authorities. When the ocunsel. It is a pleasure to put on record my view that he has rendered services of the highest character to his country during a most anxious and critical period.*

We found on our arrival that our host and hostess were dining out, but Lieut.

In the evening the Ambassador had interest of the supreme Court, but Lieut.

In the evening the Ambassador had interest of the supreme Court, but Lieut.

In the evening the Ambassador had interest of the burner of the bench. I fancy that burner of the supreme Court, but Lieut.

nday, December 31 .- At 10 A. Monday, December 31.—At 10 A. M. there was an instructive conference at the Embassy of all the heads of the various British missions then in Washington. Those present were about ten in number, including myself and H. S., who were invited to be present. A useful and businessilke talk followed. The only actual decision I recall was that British officers in uniform were not to *These words were written by me before I heard of the melancholy and premature death of our late Ambassador. I have not altered nor added to them, though I would have used a warmer note could I have read the fiture. He died for England as certainly as if he perished in the trenches He was a very sincere, able and patriotic Englishman.

*These words were written by me before I was very sorry that an old friend. Mr. Justice Oliver Wendell Holmes, was places in the United States. The decision was reached on the ground that it was underly as if he perished in the trenches the was a very sincere, able and patriotic seen him at a small fancy dress days.

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took me to the Government offices in the morning. All the Ministers whom I saw were very frank, and discussed the war situation with great freedom. It is war situation with great freedom. It is obvious that very littig of the conversation can be repeated here, but I may place on record some fugitive impressions of the remarkable men who are carrying on the war in the United States. I was first taken to Mr. Secretary Lansing, who is, of course, responsible for foreign affairs, and who gave me the impression of a shrewd, able, self-contained man of the world; courteous and by no means without huable, self-contained man of the world; courteous and by no means without humor. We discussed the interminable question of the internal conditions of the Central Empires and Turkey. He was rather encouraging, though not extravagantly so, and his conclusions agreed very closely with those of our own Foreign Office. He was interesting about things in China and spoke of Japan in a very generous and broad minded manner. He was pleasant and encouraging about my tour.

I was next taken to Mr. Secretary Daniels, the Secretary for the Navy. He is a typical Southerner, with a kindly,

Secretary Baker, who is responsible for the army, an alert, energetic man of moderate stature, who gave the impres-sion of considerable nervous energy. Like the others, he was extremely civil and obliging, and hearing that I was going to Cleveland, where his constit-uency to gave me a letter to a friend of uency is, gave me a letter to a friend of

his in the neighborhood, a distinguished judge, whom I afterward met. Baker is at present the storm centre of all the criticism, on the ground of uncannot, therefore, answer in Parliament for the departments. The defence of departmental points is left to nominated or volunteer champions—a role which often affords a great opportunity to prido, require before them the attendance of a Minister. While I was in the States Mr. Secretary Baker was twice, as it is phrased here, "put on the stand," and submitted to many hours' heckling.

Secretary defended himself with a good deal of spirit, resource and knowledge. His critics accused him of flippancy. and reasonable criticism, but Mr. Secreground. He was greatly pressed as to why the Government had made no prep-arations in the fateful six months which preceded the actual breach. In my I think he judged rightly that in this war the present is more important than the past and the future than the present. Both Daniels and Baker had a repu-

pacifists. I saw, for instance, the speech attributed in the press to the Secretary of the Navy, only a year or two before the United States came into the war, in which he argued that there was really no need for the United States to have a strong page or the ground that if they strong navy, on the ground that if they had a weak one, or none at all, every foreigner would feel it unsportsmanlike to attack a nation so defenceless. Mr. Socretary Baker, I understand, ranged himself quite clearly among those who were passionately anxious to keep America out of the war, helieving, almost to ica out of the war, believing, almost to the end, that tact and patience could achieve this result without prejudice to her honor and material interest. Both her honor and material interest. Both these gentlemen, each at the head of a belligerent department, were now completely convinced that the United States had taken the only possible choice, and that their honor and their future were bound up in the successful outcome of the war. I was told everywhere—and it would appear to be natural—that the presence in his Cabinet of two such well-known and universally respected pacifiats, and their acquiescence in his change of policy, were of the greatest assistance to the President at the critical moment.

After a visit to Mr. Phillips, the Assistant Secretary of State, we left the building, which very conveniently con-

building, which very conveniently con-tains nearly all the great public offices, and I went to the White House for my interview with the President.

interview with the President.

I had never met Mr. Wilson, and I had the kind of feeling which one always has when one is to see for the first time a man whose every public utterance it has been one's duty to read and re-read for three and a half years, and whose name is illustrious in every country in the world. With what hope and whose name is illustrious in every country in the world. With what hope, and sometimes with what disappointment, one had read his earlier speeches and notes! And here I recail in particular his answer to the Kaiser's letter, inviting American sympathy at the very beginning of the war. And I recall, too, the long notes, some of which I had helped to answer, in which he took up, and pressed, various points of maritime controversy with Great Britain. Then, on the other side, came the reflection of the immense difficulties which confronted the head of a nation so vast and so cosmopolitan in origin. A single thoughtiess step, a single premature decision on the part of the ruler, and though America might have been at war, the heart and soul of a united country would not, and could not, have been claimed by not, and could not, have been claimed by its ruler for warlike purposes. Perhaps, even compulsory service and the early presence in France of the nucleus army, presence in France of the nucleus army, with its precious message of encouragement to the French nation, would have proved impossible. And then I remembered, too, his noble utterances since the war, their insight, their statecraft, their eloquence, their courage, and their immeasurable influence upon every free democracy in the world. democracy in the world. And reflecting that this remarkable man had at last brought into the war a united nation, had smoothly and swiftly introduced nasubmitted to many hours' heckling.

Non nobis tantas componere lites, but it seemed to me. as a stranger, that the Becretary defended himself with a good deal of spirit, resource and knowledge.

An atmosphere of considerable mys-

His critics accused him of flippancy. It is, in any event, useful in these grave the President. He goes little into so-and pressing matters, that there should ciety, and functions of fashionable peo-be a constant stream of well informed ple interest him not at all. He sees apparently, only a few friends and those who are officially entitled to audience. On the other hand, when the weather tary Baker took the line of calling at-tention to what had positively been On the other hand, when the weather achieved. And here he was on strong allows it, he plays golf on three or four two or three times a week in a box at one of the Washington theatres. His health is delicate, and his doctor, with prudent authority, insists on these re-laxations from his public anxieties. I was received at the White House by Both Daniels and Baker had a repu-tation before the war of being strong room where receptions are commonly

held. The President received me with given by Mr. and Mrs. McLean at their great kindness and consideration, and incommon house. Mr. McLean is pro-I was with him for some twenty min-utes. It would be obviously improper told that 200 guests sat down to dinutes. It would be obviously improper to recall any of his convarsation upon any subject of importance, but I cannot give offence by recording the enthusiasm with which he spoke of university life, and in particular of my old University of Oxford. I spoke of his extraordinary power of divining what the American people as a whole would think of a given question. He said that in so far as he possessed it, it was, he hoped, because he was a typical American, looking at things from the same angle, and likely to reach conclusions by the same mental reach conclusions by the same mental processes. We then spoke of his own speeches, and of those of our own Prime Minister, and after some talk about Col. House's mission and my own I thought I had trespassed as long as was proper upon one whose time was so limited, and I rose to take my leave.

I rose to take my leave.

In the evening we dined with the Chadbournes, Among those present was Miss Wilson, a daughter of the President. who, I am told, has a wonderful voice, and sings a great deal at concerts in different parts of the States. We went on afterward to a ball

given by Mr. and Mrs. McLean at their enormous house. Mr. McLean is proprietor of the Wachington Post. We were told that 200 guests and down to dinner, and 400 were able to dance without any overcrowding. The room was crowded with young soldiers and sailors, and it was interesting to us to see dozens of ordinary naval ratings—American young sentlemen who had flocked to the

ens of ordinary naval ratings—American young gentlemen who had flocked to the navy—dancing with the beautiss of Washington.

I met Mrs. Longworth here, daughter of ex-President Roosevelt, whom I had previously known at Newport, and I made the acquaintance of Mrs. and Miss Sally Price-Collier, the widow and daughter of the author-of "England and the English." It was a brilliant scens, and a little strange to our eya. The hostess said, "All these boys are in the army or navy. They are all going, and they may be gone very soon. I am going to give them one good night." And, remembering the agony that lay in front of them, the "athorred shears" which were to cut the threads of so many of these young lives, we rejoiced to see them happy. many of these you to see them happy.

To be Continued To-morrow.

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How Do Your Chances Compare with His

FROM the British war office we learn that the death rate of men at war is 20 in each one thousand-2%. Among men of the same age in peaceful pursuits, the death rate is 10 in each one thousand —1%. This makes a difference in hazard of only one percent between you and the man in the trenches.

Yes, peace has her dangers as well as war, and they are practically all due to carelessness or neglect. In motoring, for instance, if you drive with defective brake linings, you are taking even greater chances with your life than the soldier who faces death in the grim struggle of "No Man's Land."

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